

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF TENNESSEE**  
**AT KNOXVILLE**

**ALFRED L. FRAZIER**

**Plaintiff,**

**v.**

**VITRAN EXPRESS, INC.**

**Defendant.**

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**Case Number 3:09-cv-242**  
**Jordan/Shirley**

**AGREED ORDER DISMISSING PLAINTIFF'S CLAIM**  
**UNDER THE TENNESSEE HUMAN RIGHTS ACT**

Come the parties, Plaintiff, Alfred L. Frazier, and Defendant, Vitran Express, Inc., by and through counsel, and represent to the Court that they are in agreement that Plaintiff's claim under the Tennessee Human Rights Act is time-barred and that, therefore, Defendant's Partial Motion to Dismiss should be granted. The parties further represent to the Court that they are in agreement that Defendant shall have up to and including September 15, 2009 to file its Answer to Plaintiff's Complaint. Accordingly, it is hereby

ORDERED, ADJUDGED and DECREED that Defendant's Partial Motion to Dismiss [doc. 8] is granted and that Plaintiff's claim under the Tennessee Human Rights Act, Count III of the Complaint, is dismissed with prejudice. It is further ORDERED, ADJUDGED and DECREED that Defendant shall have up to and including September 15, 2009 to file its Answer to Plaintiff's Complaint.

ENTER:

s/ Leon Jordan  
United States District Judge

APPROVED FOR ENTRY:

s/Keith L. Edmiston w/permission by s/Timothy B. McConnell

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